

Fee paid
\$2500
FL606280

ORIGINAL

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X
 AMERICAN GENERAL LIFE INSURANCE COMPANY,

Plaintiff,

-against-

MARK SEELIG, EUGENIO PRESTA, NICOLA PRESTA,
 AS TRUSTEES OF THE CONSTANTINO PRESTA
 IRREVOCABLE TRUST; HSBC BANK USA, NATIONAL
 ASSOCIATION,

Defendants.
 -----X

07 CV 3136 (GEL)(RLE)

FILED
 CLERK OF COURT
 U.S. DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK
 APR 26 2007

Motion to Admit Counsel Pro Hac Vice

Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Michelle M. Arbitrio, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Michael D. Mulvaney
 Maynard, Cooper & Gayle, P.C.
 1901 Sixth Avenue North
 2400 AmSouth/Harbert Plaza
 Birmingham, Alabama 35203-2602
 Tel. (205) 254-1000
 Fax: (205) 254-1999
 Email Address: mmulvaney@maynardcooper.com

Michael D. Mulvaney is a member in good standing of the Bar of the States of the following bars:

- a. State of Alabama; admitted 1990; bar/license no. ASB 7296-M67M
- b. United States District Court for the Northern District of Alabama; admitted 1990;
- c. United States District Court for the Middle District of Alabama; admitted 1990
- d. United States District Court for the Southern District of Alabama; admitted 1990;
- e. Supreme Court of Alabama; admitted 1990;
- f. Federal Circuit of Appeals; Mississippi; admitted 2002;
- g. State of Mississippi; admitted 2002; bar/license no. 100750;
- h. Fifth Circuit of Appeals; Mississippi; admitted 2002;
- i. Supreme Court of Mississippi; admitted 2002;
- j. United States Northern District of Mississippi; admitted 2002;

k. United States Southern District of Mississippi; admitted 2002.

There are no pending disciplinary proceedings against Michael D. Mulvaney in State or Federal court.

Dated: April 18, 2007
White Plains, New York

Respectfully Submitted,

Handwritten signature of Michelle M. Arbitrio in black ink, written over a horizontal line.

Michelle M. Arbitrio, Esq.

MA 2137

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

3 Gannett Drive

White Plains, NY 10604

Tel. (914) 323-7000

Fax (914) 325-1275

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN GENERAL LIFE INSURANCE COMPANY,

Plaintiff,

-against-

MARK SEELIG, EUGENIO PRESTA, NICOLA PRESTA,
AS TRUSTEES OF THE CONSTANTINO PRESTA
IRREVOCABLE TRUST; HSBC BANK USA, NATIONAL
ASSOCIATION,

Defendants.

07 CV 3136 (GEL)(RLE)

**AFFIDAVIT OF MICHELLE M. ARBITRIO IN SUPPORT OF APPLICATION TO
ADMIT COUNSEL PRO HAC VICE**

Michelle M. Arbitrio, being duly sworn, hereby deposes and says as follows:

1. I am an associate at the law firm of Wilson, Elser, Moskowitz Edelman & Dicker LLP, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Michael D. Mulvaney as counsel pro hac vice to represent Plaintiff in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in January 2003. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Michael D. Mulvaney since 2007.

4. Mr. Mulvaney is a attorney at the law firm of Maynard, Cooper & Gale, P.C. in Birmingham, Alabama.

5. I have found Mr. Mulvaney to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

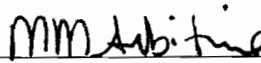
6. Accordingly, I am pleased to move the admission of Michael D. Mulvaney, pro hac vice.

7. I respectfully submit a proposed order granting the admission of Michael D. Mulvaney, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit Michael D. Mulvaney, pro hac vice, to represent plaintiff in the above captioned matter, be granted.

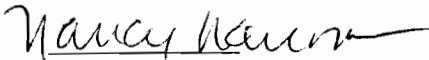
Dated: April 18, 2007
White Plains, New York

Respectfully submitted,



Michelle M. Arbitrio (MA 2137)

Sworn to Me
This 15 Day of
April, 2007



Notary Public

NANCY NAUMAN
Notary Public, State of New York
No. 4930293
Qualified in Westchester County
Commission Expires May 9, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

| | | |
|---|---|----------------------|
| -----X | | |
| AMERICAN GENERAL LIFE INSURANCE COMPANY, | : | |
| | : | 07 CV 3136(GEL)(RLE) |
| Plaintiff, | : | |
| | : | |
| -against- | : | |
| | : | |
| MARK SEELIG, EUGENIO PRESTA, NICOLA PRESTA, | : | |
| AS TRUSTEES OF THE CONSTANTINO PRESTA | : | |
| IRREVOCABLE TRUST; HSBC BANK USA, NATIONAL | : | |
| ASSOCIATION, | : | |
| | : | |
| Defendants. | : | |
| -----X | | |

Order for Admission Pro Hac Vice on Written Motion

Upon the motion and affidavit of Michelle M. Arbitrio, attorney for American General Life Insurance Company;

It is hereby Ordered that:

Michael D. Mulvaney
Maynard, Cooper & Gayle, P.C.
1901 Sixth Avenue North
2400 AmSouth/Harbert Plaza
Birmingham, Alabama 35203-2602
Tel. (205) 254-1000
Fax: (205) 254-1999
Email Address: mmulvaney@maynardcooper.com

is admitted to practice pro hac vice as counsel for American General Life Insurance Company in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: _____
White Plains, New York

United States Magistrate Judge

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
)SS :
COUNTY OF WESTCHESTER)

UNDINE MASSIAH, being duly sworn, deposes and says: deponent is not a party to the action, is over 18 years of age and resides in Brooklyn, New York.

On the 25th day of April, 2007, deponent served the within

(1) MOTION TO ADMIT COUNSEL PRO HAC VICE (Michael Mulvaney)

Upon:

HSBC Bank USA, National Association
452 Fifth Avenue
New York, NY 10018

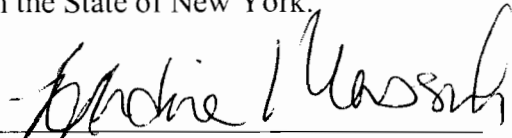
Eugenio Presta
43 Princeton Avenue
Yonkers, NY 10710

Nicola Presta
152 Florence Street
Yonkers, NY 10704

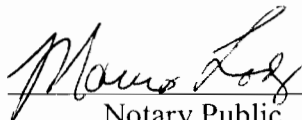
Costatino Presta Irrevocable Trust dated 7-19-05
c/o Mark Seelig
Meister Seelig & Fein LLP
140 East 45th Street – 19th Floor
New York, NY 10017

Mark Seelig
Meister Seelig & Fein LLP
140 East 45th Street – 19th Floor
New York, NY 10017

by the address(es) designated by said attorney(s) for that purpose in a sealed Federal Express envelope, by depositing a true copy thereof enclosed in a postpaid **Federal Express Priority Overnight (Next Business Morning) Overnight** wrapper, in an official depository under the exclusive care and custody of Federal Express within the State of New York.


UNDINE MASSIAH

Sworn to before me this
25th day of April, 2007


Notary Public

MAURA LOOBY
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01L04921163
QUALIFIED IN PUTNAM COUNTY
COMMISSION EXPIRES MAY 31, 2010 *10*

UNITED STATES DISTRICT COURT

Northern District of Alabama

Office of the Clerk

Room 140, 1729 5th Avenue North

Birmingham, Alabama 35203

(205) 278-1700

Sharon Harris
Clerk

CERTIFICATE OF GOOD STANDING

I, Sharon Harris, Clerk of the United States District Court, Northern District of Alabama,

DO HEREBY CERTIFY that **MICHAEL D. MULVANEY** was duly admitted to practice in said Court on **December 19, 1990**, and is in good standing as a member of the bar of said Court.

Dated at Birmingham, Alabama, on April 20, 2007.

SHARON HARRIS, CLERK

By: Shirley Brown
Deputy Clerk